

Andrew Zollinger, State Bar No. 24063944  
andrew.zollinger@dlapiper.com  
DLA Piper LLP (US)  
1717 Main Street, Suite 4600  
Dallas, Texas 75201-4629  
Telephone: (214) 743-4500  
Facsimile: (214) 743-4545

*Counsel For The Debtors*

Thomas R. Califano (admitted *pro hac vice*)  
Dienna Corrado (admitted *pro hac vice*)  
thomas.califano@dlapiper.com  
dienna.corrado@dlapiper.com  
DLA Piper LLP (US)  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Telephone: (212) 335-4500  
Facsimile: (212) 335-4501

Daniel M. Simon (admitted *pro hac vice*)  
daniel.simon@dlapiper.com  
DLA Piper LLP (US)  
One Atlantic Center  
1201 West Peachtree Street, Suite 2800  
Atlanta, Georgia 30309  
Telephone: (404) 736-7800  
Facsimile: (404) 682-7800

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	§	
	§	Chapter 11
	§	
4 West Holdings, Inc. <i>et al.</i> , <sup>1</sup>	§	Case No. 18-30777 (HDH)
	§	
Debtors.		(Jointly Administered)

4 WEST HOLDINGS, INC. <i>et al.</i> , <sup>2</sup>	§	
	§	
Plaintiffs,	§	ADV. PRO. _____
	§	
v.	§	
	§	
OMEGA HEALTHCARE INVESTORS, INC.	§	
<i>et al.</i> , <sup>3</sup>	§	
	§	
Defendants.		

<sup>1</sup> A list of the Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, is attached hereto as App. Ex. A at AAP 0018 – 0022.

<sup>2</sup> A list of the Plaintiffs in this adversary proceeding is attached hereto as App. Ex. B at AAP 0023 – 0025.

<sup>3</sup> A list of the Plaintiffs in this adversary proceeding is attached hereto as App. Ex. C at AAP 0026 – 0028.

**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Plaintiffs 4 West Holdings, Inc. et al. (collectively "Plaintiffs" or "Debtors") hereby move the Court for an order granting summary judgment against Defendants Omega Healthcare Investors, Inc. et al. (collectively "Defendants") on Count I of the Complaint for Declaratory Judgment dated July 27, 2018. In accordance with Local Bankruptcy Rule 7056-1(c)(2) and Local Civil Rule 56.3(b), Plaintiffs state that each of the items required by Local Bankruptcy Rule 7056-1(c)(1) and Local Rule 56.3(a) are set forth in Plaintiffs' Brief in Support of its Motion for Summary Judgment, filed concurrently herewith.

WHEREFORE, Plaintiffs respectfully request that this Court grant its Motion for Summary Judgment as a matter of law and granting such other and further relief as the Court may deem just and proper.

*[remainder of page intentionally left blank]*

Dated: July 27, 2018

Respectfully submitted,

**DLA PIPER LLP (US)**

/s/ Andrew Zollinger

Andrew Zollinger, State Bar No. 24063944

DLA Piper LLP (US)

1717 Main Street, Suite 4600

Dallas, Texas 75201-4629

Telephone: (214) 743-4500

Facsimile: (214) 743-4545

Email: andrew.zollinger@dlapiper.com

-and-

Thomas R. Califano (admitted *pro hac vice*)

Dienna Corrado (admitted *pro hac vice*)

1251 Avenue of the Americas

New York, New York 10020

Telephone: (212) 335-4500

Facsimile: (212) 335-4501

Email: thomas.califano@dlapiper.com

dienna.corrado@dlapiper.com

-and-

Daniel M. Simon (admitted *pro hac vice*)

One Atlantic Center

1201 West Peachtree Street, Suite 2800

Atlanta, Georgia 30309

Telephone: (404) 736-7800

Facsimile: (404) 682-7800

Email: daniel.simon@dlapiper.com

*Counsel for the Debtors*